

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of the Claims

1-171 (cancelled).

172. (currently amended) A method for providing remote commerce consisting of offers of a good or a service to prospective customers as users of a system comprising the steps of:

establishing a remote communication between at least one of the users and the system for a purpose of a primary transaction for a requested service or repair,

obtaining primary transaction data with respect to the primary transaction, including an identity of the prospective customer and the purpose of the primary transaction as being a communication for one of the requested service or repair,

utilizing the identity of the prospective customer to obtain at least a second data element from a remote database relating to the user,

utilizing at least in part the primary transaction data, including the purpose of the primary transaction as being a communication for one of the requested service or repair and the second data element, to determine at least a new product being currently available at the time of the communication for prospective upsell to the prospective customer in real time with the primary transaction, wherein the new product is different than the requested service or repair, and

offering the new product to the prospective customer in lieu of the requested service or repair whereby the upsell serves to obviate the purpose for the primary transaction and the upsell is successful in providing the customer with the new product in replacement thereof.

173. (original) The method of claim 172 wherein the transaction type of the primary transaction differs from the transaction type of the upsell transaction.

174. (cancelled).

175. (original) The method of claim 173 wherein the primary transaction is a service transaction and the upsell transaction is a purchase transaction.

176. (original) The method of claim 172 wherein the primary transaction is a purchase transaction for a first good and the upsell transaction is a purchase transaction for a second good.

177. (original) The method of claim 173 wherein the primary transaction is a service transaction for a first good and the upsell transaction is a purchase transaction for a replacement for the first good.

178. (cancelled).

179. (previously presented) The method of claim 172 wherein the primary transaction is not consummated.

180. (previously presented) The method of claim 172 wherein the purpose of the primary transaction is a purchase transaction.

181. (previously presented) The method of claim 172 wherein the purpose of the primary transaction is an informational inquiry.

182. (previously presented) The method of claim 172 wherein the purpose of the primary transaction is a service transaction.

183. (previously presented) The method of claim 172 wherein the purpose of the primary transaction is a sale transaction.

184. (previously presented) The method of claim 172 wherein the purpose of the primary transaction is an inventory check.

185. (previously presented) The method of claim 172 wherein the purpose of the primary transaction is a status inquiry.

186. (previously presented) The method of claim 172 wherein the purpose of the primary transaction is an order fulfillment inquiry.

187. (previously presented) The method of claim 172 wherein the purpose of the primary transaction is a comparison shopping inquiry.

188. (previously presented) The method of claim 172 wherein the purpose of the primary transaction is a credit check.

189. (previously presented) The method of claim 172 wherein time is utilized as a factor in determining the good or service to be offered.

190. (previously presented) The method of claim 189 wherein the time is the time of day.

191. (previously presented) The method of claim 189 wherein the time is the day of the week.

192. (previously presented) The method of claim 189 wherein the time is the day of the month.

193. (previously presented) The method of claim 172 wherein a factor in determining the good or service to be offered is proximity to a calendar event.

194. (previously presented) The method of claim 193 wherein the calendar event is user defined.

195. (cancelled).

196. (previously presented) The method of claim 172 wherein geographic identifier data of the user is used to determine an offer for a good or service.

197. (previously presented) The method of claim 196 wherein the geographic identifier data of the user is provided automatically.

198. (previously presented) The method of claim 196 wherein the geographic identifier data is provided by a carrier associated with the electronic communications device.

199. (previously presented) The method of claim 196 wherein the geographic identifier data is entered by the user.

200. (previously presented) The method of claim 172 wherein the identity of the good or service of the primary transaction is utilized in determining the prospective upsell.

201. (previously presented) The method of claim 172 wherein the identity of the good or service selected by the user during the primary transaction is utilized in determining the prospective upsell.

202. (previously presented) The method of claim 172 wherein a quality factor associated with the good or service is at least one factor in determining the good or service to be offered.

203. (previously presented) The method of claim 172 wherein the offer is made orally to the prospective customer.

204. (previously presented) The method of claim 172 wherein the offer is made visually to the prospective customer.

205. (previously presented) The method of claim 204 wherein the visual offer is static.

206. (previously presented) The method of claim 204 wherein the visual offer is dynamic.

207. (previously presented) The method of claim 204 wherein the visual offer includes a virtual reality display.

208. (previously presented) The method of claim 172 wherein the prospective customer registers to use the system.

209. (previously presented) The method of claim 208 wherein the prospective customer preregisters with the system prior to use.

210. (previously presented) The method of claim 208 wherein the registration includes input of information by the prospective customer.

211. (previously presented) The method of claim 208 wherein the prospective customer inputs information in response to questions.

212. (previously presented) The method of claim 172 further comprising applying at least one negative rule when the at least second good or service for prospective upsell to the prospective customer is determined.

213. (previously presented) The method of claim 212 wherein the negative rule includes not offering for upsell a good or service determined to already be possessed by the prospective customer.

214. (previously presented) The method of claim 212 wherein the negative rule includes not offering a good or service determined to have been previously purchased by the prospective customer.

215. (previously presented) The method of claim 212 wherein the negative rule includes not offering a good or service determined to have been previously offered to the prospective customer, but declined.

216. (previously presented) The method of claim 172 wherein the prospective customer may interact with a live operator.

217. (previously presented) The method of claim 172 wherein the prospective customer utilizes an electronic communications device to communication with the system, and wherein the is a telephone.

218. (previously presented) The method of claim 217 wherein the electronic communications device is a videophone.

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219. (previously presented) The method of claim 217 wherein the electronic communications device is a computer.

220-272. (cancelled).